

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

<b>UNITED STATES OF AMERICA</b>	)	Criminal No. 1:22-MJ-562 (DJS)
	)	
v.	)	Stipulation and Order
	)	for Enlargement of Time
<b>Jonathan Woodworth</b>	)	
	)	
	)	
<b>Defendant.</b>	)	

**STIPULATION**

The United States of America, by and through its counsel of record, the United States Attorney for the Northern District of New York, and the defendant, Jonathan Woodworth, by and through counsel, Gene Primomo, hereby agree and stipulate that the time within which an indictment must be filed under Title 18, United States Code, Section 3161(b), be enlarged to and including sixty (60) days from the date of the order to and that such time be excluded, pursuant to Title 18, United States Code, Section 3161(h)(7)(A), from the computation of the time within which an indictment must be filed under the provisions of Title 18, United States Code, Section 3161(b).

- 1) The chronology of this case is as follows:
  - a) Date of complaint: September 29, 2022
  - b) Date of initial appearance: September 29, 2022
  - c) Defendant custody status: In US Marshal custody
  - d) Date United States moved for detention: September 29, 2022
  - e) Date of detention hearing: N/A
  - f) Date detention decision issued: N/A

g) There have been no earlier enlargements of time and exclusions under the Speedy Trial Act:

h) The United States and/or the defendant request this exclusion based on the following facts and circumstances: This matter resulted from an investigation into the defendant's alleged use of a facility of interstate commerce to attempt to persuade, induce, entice and coerce an individual who has not attained the age of 18 years, to engage in sexual activity. The government requests and the defendant consents to the requested speedy trial exclusion to allow the government additional time to complete its investigation, assess viable charges, and present those charges to the grand jury. Further, the government intends to provide defense counsel with preliminary discovery which, upon receipt, defense will require time to review to determine whether to negotiate a disposition or proceed to trial.

2) The parties stipulate and agree that the ends of justice served by granting this extension outweigh the best interest of the public and the defendant in a speedy indictment and trial because the arrest occurred at a time such that it is unreasonable to expect return and filing of an indictment within the period specified in section 3161(b), taking into account the exercise of due diligence (see 18 U.S.C. § 3161(h)(7)(B)(iii)).

3) The parties stipulate and agree that a period of 60 days beginning on and including the date on which the Court signs the requested order, shall be excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iii).

The undersigned attorneys affirm under penalty of perjury the accuracy of the facts set forth above and apply for and consent to the proposed order set forth below.

CARLA B. FREEDMAN

Dated: September 30, 2022

United States Attorney

By: */s/ Ashlyn Miranda*

AUSA Name

Assistant United States Attorney

Bar Roll No. 700759

*/s/ Gene V. Primomo*

Gene Primomo, Esq.

Attorney for Jonathan Woodworth

Bar Roll No. 509668

## **ORDER**

A. The Court adopts the stipulated facts set out above as findings and hereby incorporates them into this Order;

B. The Court has considered its obligation under 18 U.S.C. § 3161(h)(7)(A) to determine whether an extension of time within which the government must file an information or indictment serves the ends of justice in a manner that outweighs both the public interest and the defendant's rights. The Court finds that, pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy indictment and trial because this delay is necessary in order to allow the United States reasonable time following the arrest of the defendant for effective preparation for the return and filing of an indictment, taking into account the exercise of due diligence. **BASED ON THE STIPULATED FACTS AND THE COURT'S RELATED FINDINGS, IT IS HEREBY ORDERED** that the time within which an indictment must be filed under the provisions of Title 18, United States Code, Section 3161(b), be enlarged to and including sixty (60) days from the date of this Order, and that time be excluded pursuant to Title 18, United States Code, Section 3161(h)(7)(A), from the computation of the time within which an indictment must be filed under the provisions of Title 18, United States Code, Section 3161(b), because the ends of justice served by granting this continuance outweigh the best interest of the public and the defendant in a speedy trial for the reasons stipulated above.

IT IS SO ORDERED.

Dated and entered this \_\_\_\_\_ day of October, 2022.

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Hon. Daniel J. Stewart  
U.S. Magistrate Judge